

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF ADMINISTRATIVE SERVICES
APRIL 15, 2008**

ITEM 6

SUBJECT

CONSIDERATION OF A RESOLUTION OF APPROVAL FOR WORKERS' COMPENSATION COVERAGE FOR VOLUNTEERS

DISCUSSION

The State Water Resources Control Board (State Water Board) should consider extending workers' compensation coverage to volunteers. Workers' compensation is not mandatory for volunteers. This determination must be documented in a State Water Board Resolution and communicated to the State Compensation Insurance Fund (SCIF) to provide coverage in the SCIF Master Agreement.

POLICY ISSUE

Should the State Water Board adopt the proposed resolution authorizing workers' compensation for volunteers to receive benefits for injuries incurred while conducting State Water Board assignments?

FISCAL IMPACT

At this time SCIF provides coverage for \$137.45 a week for volunteers. At this time we have one volunteer in a regional board and none at the State Board.

REGIONAL BOARD IMPACT

The volunteer program has minimal volunteers and there would be minimal impact for workers' compensation costs of \$137.45 a week for an injured volunteer. Under workers' compensation, the injured person is entitled to benefits but does not need to show that the employer is at fault, so it is easier for the volunteer to recover benefits under workers' compensation.

STAFF RECOMMENDATION

Recommend that the resolution be approved for volunteers to receive workers' compensation under the SCIF Master Agreement.

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2008-

APPROVAL FOR WORKERS' COMPENSATION COVERAGE FOR VOLUNTEERS

WHEREAS:

1. Labor Code section 3363.5 states that public employers may choose to extend workers' compensation coverage to volunteers that perform services for the organization as coverage is not mandatory for volunteers.
2. The Department of Personnel Administration (DPA) notified all state agencies, departments, commissions and boards that the State Compensation Insurance Fund (SCIF) is notified whether or not to extend workers' compensation coverage to volunteers.
3. The State Water Resources Control Board (State Water Board) currently has a volunteer doing field work and should allow a volunteer to receive workers' compensation for work-related injuries.
4. DPA's memorandum requires that the State Water Board adopt a resolution to extend workers' compensation coverage to volunteers and submit the resolution annually to SCIF and DPA to participate in the Master Agreement allowing volunteer coverage.
5. This Resolution will remain in place to provide to SCIF annually, unless there is a significant change to the volunteer program.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes to extend workers' compensation coverage and that this determination is documented and communicated to SCIF and DPA annually.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on April 15, 2008.

Jeanine Townsend
Clerk to the Board